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P.O. Box 142950

Gainesville, FL 32614-2950

Telephone (352) 375-8100

Facsimile (352) 372-5800

TO: Nancy T. Vogel, Art Unit 1636 FROM: Christopher Eisenschenk, Ph.D.
COMPANY: U.S. Patent Office DATE: July 10, 2006
FAX NO.: 1-571-273-8300 NO. OF PAGES: 3
(INCLUDING COVER SHEET)

SUBJECT/MESSAGE:

Re: U.S. Patent Application Docket No. DAS-103XC1
AMENDED RECOMBINANT CELLS FOR THE PRODUCTION AND
DELIVERY OF ANTIVIRAL AGENTS, ADJUVANT AND VACCINE
ACCELERANTS
(Gaertner, Lee, Shulter)
Serial No. 10/681,540; filed October 7, 2003

Attachment: Election Under 35 U.S.C. § 121 (2 pages)

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and Trademark Office on July 10, 2006

Frank C. Bisenschenk
Frank C. Bisenschenk, Ph.D., Patent Attorney

ELECTION UNDER 35 U.S.C. § 121
Examining Group 1636
Patent Application
Docket No. DAS-103XC1
Serial No. 10/681,540

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Nancy T. Vogel
Art Unit : 1636
Applicants : Frank H. Gaertner, Stacey Finstad Lee, Robert Shutter
Serial No. : 10/681,540
Filed : October 7, 2003
Conf. No. : 7752
For : Amended Recombinant Cells for the Production and Delivery of Gamma
Interferon as an Antiviral Agent, Adjuvant and Vaccine Accelerant

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

ELECTION UNDER 35 U.S.C. § 121

Sir:

In response to the written Restriction Requirement dated June 16, 2006 in the above-identified patent application, Applicants hereby elect to prosecute the invention of Group I (claims 1-10 and 32-38), without traverse.

J:\DAS\DAS-103XC1\Amend\ResplElection.doc\DN13\st